

**JUL 31 2006**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

JOEL VELASQUEZ-OLANDES,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney  
General,

Respondent.

No. 05-73650

Agency No. A79-789-760

MEMORANDUM\*

On Petition for Review of an Order of the  
Board of Immigration Appeals

Submitted July 24, 2006\*\*

Before: ALARCÓN, HAWKINS, and THOMAS, Circuit Judges.

Joel Velasquez-Olandes, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an

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\* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

immigration judge's ("IJ") order denying his application for cancellation of removal. We dismiss the petition for review.

Velasquez-Olandes's contention that the agency violated his due process rights by making erroneous and unsupported findings of fact and by misapplying relevant case law does not state a colorable due process claim. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005) ("[T]raditional abuse of discretion challenges recast as alleged due process violations do not constitute colorable constitutional claims that would invoke our jurisdiction."); *Sanchez-Cruz v. INS*, 255 F.3d 775, 779 (9th Cir. 2001) (holding that "misapplication of case law" may not be reviewed).

**PETITION FOR REVIEW DISMISSED.**